

USAWC STRATEGY RESEARCH PROJECT

**A SURVEY OF UNITED STATES DETAINEE DOCTRINE AND EXPERIENCE SINCE
WORLD WAR II**

by

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ABSTRACT

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Recent charges of detainee and prisoner mistreatment in the Global War on Terror resulted in numerous investigations, intense media coverage and international scrutiny. The focus on prisoner of war operations points to one unequivocal fact. Detention operations have a profound impact across the strategic, operational and tactical levels of war. This paper takes a step back and surveys detention operation experience and doctrine from World War II through Operation Desert Storm. The intent of this paper is to reveal both some strengths and weaknesses from the past and provide lessons our nation can use to help achieve successful operations in the future. This paper shows that there are three overarching aspects to successful detention operations: policy decisions regarding the application of the Geneva Conventions, planning and preparation for prisoner of war operations has a direct result on the success of the operation and national and international media attention will always focus on the United States treatment of prisoners. This last point emphasizes the strategic importance of detention operations and can undermine our effort to achieve our national objectives.

A SURVEY OF UNITED STATES DETAINEE DOCTRINE AND EXPERIENCE SINCE WORLD WAR II

Recent charges of detainee and prisoner mistreatment in the Global War on Terror resulted in numerous investigations, intense media coverage and international scrutiny. The focus on prisoner of war operations points to one unequivocal fact. Detention operations have a profound impact across the strategic, operational and tactical levels of war. Most important is the strategic impact on national and international will.

This paper takes a step back and surveys detention operation experience and doctrine from World War II through Operation Desert Storm. This historical survey shows that the United States performed detention operations well during World War II. Since then, the United States has had a sporadic record. This paper will discuss the policy issues surrounding the Geneva Conventions and the effect of these international conventions on United States Army doctrine. The objective is to provide context and background but not debate the legal status of internees or the legal arguments. The intent is not to belittle the argument of where modern terrorists fit in the context of the Geneva Conventions. This debate will continue for some time and is a key legal argument in the Global War on Terrorism, but more importantly, this author is unqualified to weigh in on such a heady legal discussion.

The intent of this paper is to reveal both some strengths and weaknesses from the past and provide lessons our nation can use to help achieve successful operations in the future. This paper shows that there are three overarching aspects to successful detention operations. The first is the policy decision regarding the application of the Geneva Conventions. The second is that the planning and preparation for prisoner of war operations has a direct result on the success of the operation. Lastly, the national and international media attention will almost always focus on the United States' treatment of prisoners regardless of credible allegations or enemy atrocities against American service personnel. This last point emphasizes the strategic importance of detention operations and can undermine our effort to achieve our national objectives.

World War II

The United States' prisoner of war experience during World War II mirrored many of the other experiences from that period; we jumped right into the thick of it. The enemy prisoner of war population interned in the United States was a mere thirty-two in May of 1942.¹ This figure would grow to 425,000 prisoners held in the United States² and a staggering 4.3 million in United States custody worldwide³ by May of 1945, the end of hostilities in the European theater.

The Army operated numerous facilities across Europe, the Pacific and the continental United States.⁴ The last Japanese prisoners were released in December 1946.⁵ The German prisoners were released in Europe by June 1947.⁶

Based on doctrine from World War I, the Provost Marshal General and the military police units were responsible for detention operations. Prisoner of war operations during World War II were based on two Department of the Army military police field manuals. The first was *Field Manual 29-5, Basic Field Manual: Military Police*, dated December 1941 and the second was *Field Manual 19-5, Military Police*, dated June 1944. *Field Manual 29-5* contains one chapter, 11 pages, on prisoners of war. This chapter provides general procedures for handling, treating and escorting prisoners. Interestingly, *Field Manual 19-5* includes much more detail in three chapters including 27 pages. This introduction of detail points to the experience and emphasis placed on prisoner operations during the previous years. Since *Field Manual 19-5* provides greater detail, this paper will use this manual as a basis to cover general treatment, responsibilities and provisions for prisoners of war.

With regard to prisoner treatment, *Field Manual 29-5* once again includes general procedures regarding prisoner care and treatment. Interestingly, *Field Manual 29-5* does not mention the Geneva Conventions of 1929 with regard to prisoner treatment although all World War II combatants were signatories of these Conventions.⁷ *Field Manual 29-5* instead provides a general statement regarding humane treatment and international law and then refers to *Field Manual 27-10, Law of Land Warfare*, for a more detailed discussion.⁸ This is in stark contrast to *Field Manual 19-5*. *Field Manual 19-5*'s prisoner of war chapter starts with the Geneva Conventions of 1929 and cites specific articles throughout the Chapter.

Specifically, *Field Manual 19-5* emphasizes the importance of the Geneva Conventions of 1929, defines the term prisoner of war with regard to the conventions and interestingly emphasizes the importance of these conventions to United States soldiers who may become captives and expect reciprocal treatment. The manual discusses that violations of the Geneva Conventions are not only violations of United States law but also could result in enemy retaliation against our own prisoners of war and may subject the United States to unfavorable international criticism. The manual also emphasizes that all United States forces should receive training with regard to the conventions and specifically prescribes special training for officers whose commands may involve responsibility for the treatment of prisoners.⁹ *Field Manual 19-5* provides two direct quotes from the Geneva Conventions and both are worth restating here. The first quote is from Article 2:

"Prisoners of war are in the power of the hostile Power, but not of the individuals or corps who have captured them.

They must at all times be humanely treated and protected, particularly against acts of violence, insults, and public curiosity.

Measures of reprisal against them are prohibited."¹⁰

The second quote is from Article 3:

"Prisoners of war have the right to have their person and their honor respected. Women shall be treated with all the regard due to their sex.

Prisoners retain their full civil status."¹¹

Another section of the manual, with respect to prisoner treatment, reads:

Coercion will not be used on prisoners or other personnel to obtain information relative to the state of their Army or country. Prisoners or others who refuse to answer such questions may not be threatened, insulted, or unnecessarily exposed to unpleasant treatment of any kind. The examination of prisoners or others is not prohibited and provisions will always be made for such examination. (*Field Manual 19-5* 1944, 163)

Field Manual 19-5 prescribes other elements of the Geneva Convention of 1929 with regard to prisoner treatment. The manual states that prisoners will receive the same standard of medical and dental treatment as provided for United States forces. It also states that prisoner of war camps will be equivalent to those provided to United States troops at base camps.¹² The manual, upon commander approval, authorizes the International Committee of the Red Cross and the International Young Men's Christian Association to provide recreational and welfare activities at prisoner of war installations.¹³ Note this does not include camp inspections. The manual and the Geneva Conventions of 1929 define protecting powers as neutral countries representing enemy interests. Duly accredited protecting powers were allowed right of access to and inspection of prisoner of war installations and hospitals. Representatives of the protecting powers were also permitted to interview prisoners and, upon request, without witnesses.¹⁴ In practice, the United States government not only permitted visits from protecting powers but highly encouraged them. The Army coordinated each visit with the State Department and a State Department representative accompanied the protecting power representative on all visits. Following 8 May 1945, Victory in Europe, and withdrawal of Switzerland as Germany's protecting power, the International Committee of the Red Cross increasingly took over the protecting power functions for German prisoners.¹⁵

In summary, United States prisoner of war treatment was very favorable during World War II. German prisoners in the United States wrote thousands of letters to their families and told

them of the fair treatment they received. European commanders stated that reports reaching German soldiers promising their fair treatment were a great factor in breaking down their morale and making them willing if not eager to surrender. The effect was so profound that General Eisenhower ordered millions of leaflets dropped over enemy lines to bolster this psychological effect.¹⁶ The experiences of World War II show that the United States military's prisoner of war doctrine and training served the country and its soldiers very well.

The same could hardly be said for the conditions on the Eastern Front between Germany and Russia. Neither German nor the Soviet government made any credible effort to regulate the conduct of its armies with regard to the Geneva Conventions of 1929, or any standard of humane treatment for that matter. German and Soviet prisoners who were not killed upon capture later died in staggering numbers from disease, malnourishment and maltreatment in internment camps.¹⁷ Japanese forces saw great dishonor in captivity and thought that the only redemption was death. As a result, the Japanese treated their war prisoners with uncontrolled brutality. These acts and the civilian suffering demonstrated the ineffectiveness of the Geneva Conventions of 1929 and compelled many people, governments and organizations to revise and redraft humanitarian law.¹⁸

The International Committee of the Red Cross took a lead role in the development of the new standard and after four years approved the four new conventions in Stockholm, Sweden, in 1948. In April 1949, the Swiss government called a diplomatic conference that resulted in the adoption of all four conventions in August 1949.¹⁹ These four conventions are now commonly referred to as the Geneva Conventions for the Protection of War Victims and go well beyond simply protecting prisoners of war.²⁰ Fifty-five nations signed these Geneva Conventions by the end of December 1949.²¹ While the United States also signed the conventions, the United States Senate did not ratify them until 2 February 1956. The Army then incorporated them into *Field Manual 27-10, The Law of Land Warfare*, on 18 July 1956. Although these two events did not occur until 1956, the Korean War saw the first application of these new conventions.

Korean Conflict

On 23 July 1950, General Douglas MacArthur declared that the United Nations Command adopted the provisions of the Geneva Conventions of 1949. On that same day, President Syngman Rhee made a similar proclamation on behalf of the Republic of Korea.²² Although these declarations were necessary, both American and Korean forces had no training or doctrine with regard to these provisions. The war was on and there was no way to introduce new doctrine. Training would have to be accomplished while operations were underway.

Likewise, the ability of American and Korean forces to plan for prisoner of war camps and guard personnel was greatly hampered.

On 10 July 1950, the Pusan Base Command Provost Marshall began planning for enemy prisoners of war and selected a site near the Pusan base to construct an encampment.²³ These efforts were complicated by two critical factors. The first factor was the lack of supplies on the Korean peninsula. The front line combat units took priority over the small amount of supplies that were available.²⁴ The second factor was what turned out to be an underestimated planning assumption. The initial planning called for facilities and supporting personnel for 60,000 prisoners.²⁵ Eventually, 173,219 prisoners were interned in South Korea.²⁶ These two factors conspired to create a situation where the camps were constantly overcrowded with prisoners and undermanned with guards.

The September 1950 offensive and landing at Inchon dreadfully exacerbated prisoner overcrowding. The Pusan prison population grew from 10,829 on 30 September to 62,697 on 31 October.²⁷ Pusan prisoner of war camp #1 was built to hold 38,400 prisoners but its population ultimately reached 140,000 by June 1951.²⁸ The United States and the Republic of Korea agreed to share prisoner responsibilities. This agreement helped solve two problems for the United States. First, both nations had a personnel shortage but the second problem was even more important. Under the Geneva Conventions of 1949, the United States was ultimately liable for the treatment of prisoners captured by our forces. The Korean forces had a tendency to abuse or kill prisoners at the slightest provocation. Therefore, the United States ensured that there was a combined force at every encampment.

Even with this combined force, every encampment was woefully undermanned. For example, Camp Kojedo had only six escort guard companies and two Korean guard platoons although the camp's size justified 50 escort guard companies. As if overcrowded and undermanned prisons were not a desperate enough situation, another problem manifested. The small prisoner processing staffs diligently separated prisoners based on the Geneva Convention provisions, i.e. rank, nationality, sex, etc. These provisions did not perceive a need to separate prisoners based on political idealism. Some prisoners were staunch Communists while others were equally dedicated anti-Communists, some of which were forced into fighting. This oversight combined zealous Communists with equally devoted anti-communists into an overcrowded and dismal pressure cooker.

Camp Kojedo suffered a series of riots and violent revolts as Communist and anti-Communist factions fought for prison control. Conditions in June 1951 were so violent and internal security so poor that United Nations Command personnel did not enter the camp at

night. The prisoners soon realized that the undermanned guard force was unable to stop the violence within the prison and therefore probably unable to maintain prison control. The situation devolved to where the prisoners controlled the prison interior and the guards could not get in without violence. On 20 Feb 1952, Brigadier General Francis Dodd was placed in command to reestablish order and take control of the prison camp. Brigadier General Francis Dodd was taken hostage on 7 May 1952 by a well planned and carefully orchestrated tactical move by Communist prisoners. The prisoners released Brigadier General Francis Dodd unharmed three days later but only after United Nations Command granted several demands.²⁹ It became clear to the United Nations Command and superiors in Washington that North Korea had purposefully infiltrated the camps with the specific purpose of leading camp uprisings. The goal of this effort was to influence the ongoing armistice negotiations.

General James Van Fleet, Commanding General of Eighth United States Army Korea, authorized a plan to regain control of the camp in June 1952. The plan started with a number of non-lethal measures to regain control but eventually force was necessary. The two and a half hour battle involved concussion grenades, tear gas, bayonets and hand to hand combat. The battle ended when six tanks rolled in and trained their guns on the remaining resisting prisoners and their resistance collapsed. The battle resulted in 31 prisoners killed, 139 wounded and one United States soldier killed, 14 soldiers wounded.³⁰ In the end, the United Nations Command regained control and redistributed the prisoners into smaller and more secure compounds.

Throughout the Korean War, there appears to have been a decent working relationship between the International Committee of the Red Cross and the United Nations Command. Although camp conditions did not meet the provisions of the Geneva Conventions, the International Committee of the Red Cross reports identified deficiencies and expressed that the United Nations Command made continual efforts to correct the deficiencies and improve camp conditions. There is also no evidence that the United Nations Command refused International Committee of the Red Cross access to either prison camps or prisoners.³¹ As one might imagine with the battles for Camp Koje-do, there were also some tense moments.

In December 1952, the International Committee of the Red Cross made public a report that stated the United Nations Command actions at Camp Koje-do appeared to violate the provisions of the Geneva Conventions. In response, General Mark Clark, Commander, United Nations Command, released his response to the report, reaffirmed the command's continued respect for the Geneva Conventions and emphasized that his command would not tolerate terrorism or rioting and would take any actions necessary to prevent mass escapes. Dr. Otto Lehner, the International Committee of the Red Cross senior representative, met with General

Mark Clark and reminded him of his Geneva Convention obligations. General Mark Clark reminded Dr. Otto Lehner that the prisoners considered themselves active combatants but assured him that force would be a method of last resort.³²

The Korean War started with doctrine and training that reflected World War II experiences and referenced the Geneva Conventions of 1929. Although the United States did not ratify the new Geneva Conventions until 1956 and in the midst of a war, the Army reissued *Field Manual 30-15, Military Intelligence Examination of Enemy Personnel, Repatriates, Documents and Materials*, in 1951 and *Field Manual 19-40, Handling of Prisoners of War*, in 1952. *Field Manual 19-40* shows the most dramatic change. It starts with a lengthy discussion of the provisions of the Geneva Conventions of 1949.³³ The manual also provides several diagrams of prison facilities ranging in prisoner capacity from 250 to 30,000 prisoners. This shows a trend from World War II. In both cases, the prisoner of war doctrine expands to capture more detail and place more emphasis on the application of the Geneva Conventions. The Korean War would also identify a shortfall of the Geneva Conventions.

Articles 109 through 119 of the Geneva Conventions of 1949 provide for prisoner repatriation but did not accommodate prisoners who did not want repatriation. The United Nations Command held thousands of prisoners who did not want to repatriate to North Korea or China. In the summer of 1951, the United Nations Command recognized that any armistice talks would involve prisoner repatriation and asked Washington for a policy decision. In February 1952, President Harry Truman decided the United Nations Command should recognize the prisoner's right to refuse repatriation. This policy would become a point of contention in the armistice negotiations for both the Korean³⁴ and the Vietnam War.

Vietnam War

The Vietnam War involved a very complicated application of the Geneva Conventions. Unlike the Korean War, the United States did not initially come out with a policy that the Geneva Conventions applied. Although both the United States and the Vietnamese governments were signatories of and bound by the Geneva Conventions, both governments initially side stepped the issue. The Vietnamese government was reluctant to classify captured insurgent personnel as prisoners of war for fear that it would legitimize the North Vietnamese government. Therefore, the Vietnamese government treated the insurgents as criminals in violation of civil law and incarcerated them in civil prisons.

The United States policy was indifferent at best. Enemy personnel captured by United States personnel were simply detained for tactical intelligence value and then turned over to the

Vietnamese government for civil prosecution.³⁵ Prosecution is used very loosely in this instance as Vietnamese government considered the captured insurgents as political prisoners and imprisoned them without due process.³⁶ This policy did not relieve the United States of its responsibilities under the Geneva Conventions as the original detaining powers.³⁷ During the Korean War, policy makers realized these obligations and established cooperative prisoner of war internment operations. This early policy decision would haunt the United States as it became more concerned as the number of captured enemy and American personnel increased.

This concern reached a peak when the National Liberation Front executed two American prisoners on 24 June 1965. These executions were reprisals for the previous execution of insurgents by the Vietnamese government. In August 1965, the United States declared that it would apply all the provisions of the Geneva Conventions and expected all parties involved to do the same. The Vietnamese government quickly made a similar declaration but on 31 August 1965, the North Vietnamese government declared American prisoners as war criminals and would prosecute them under North Vietnamese civil law.³⁸ The National Liberation Front announced the reprisal execution of two more American prisoners on 26 September 1965.³⁹

National and international media further complicated the situation by focusing on allegations of prisoner mistreatment by the Vietnamese government. While the allegations were never proven, the implications of American noncompliance with the Geneva Conventions placed the United States in a vulnerable international position. The United States and Vietnamese governments now found themselves trying to correct previous policy decisions. Early in the Vietnam War, the United States considered operating prison camps but scrapped that idea. At this point, the Vietnamese government had interned an estimated 33,700 insurgents, held them in civil prisons, kept no records and executed some of them.⁴⁰

In October 1965, the International Committee of the Red Cross informed the United States that the Vietnamese government was not complying with the Geneva Conventions and the International Committee of the Red Cross would continue to hold the United States responsible for individuals that American forces had captured.⁴¹ During the same month, the Chairman of the Joint Chiefs, recalling our Korean prisoner of war experiences and expressing concern over our policy, directed the Joint Staff to examine the current prisoner of war policy and practice.⁴² On 27 November 1965, the Joint Military Committee proposed a plan to bring all American, Vietnamese and Free World forces into Geneva Conventions compliance.⁴³ This plan involved building prison camps, properly identifying and transferring prisoners from the civil prisons to the prisoner of war camps and more importantly, proper training on Geneva Convention provisions for all forces. Similar to Korea, Vietnamese forces would run each of the prison camps with

United States forces attached to each camp as advisors. By 11 December 1971, the Vietnamese government held 35,665 prisoners of war in six camps.⁴⁴

Focusing on doctrine now, recall that the Department of the Army revised both the military intelligence and, to a greater extent, military police field manuals toward the end of the Korean War to reflect the latest experiences. *Field Manual 19-40, Handling of Prisoners of War*, dated 1952, opened with a very detailed and precise chapter on the Geneva Conventions of 1949. Interestingly, there is a dramatic and noticeable change in *Field Manual 19-40, Enemy Prisoners of War and Civilian Internees*, dated 1964. The revised manual discusses the Geneva Conventions in general terms and there is one striking phrase. The first sentence of the section on prisoner of war treatment exemplifies the new tone. It states:

“PW's are treated humanely but are handled with firmness at all times.”⁴⁵

This field manual also includes an entire chapter on the use of riot control agents in internment facilities. The 1952 version of *Field Manual 19-40* also included a series of prison facility schematics ranging in prisoner capacity from 250 to 30,000 prisoners. The 1964 version replaced these schematics with one general boiler plate. The revised doctrine from the end of the Korea War until the start of the Vietnam War lost some detail and shifted focus from the humane treatment provisions of the Geneva Conventions to more of prisoner control.

Department of the Army doctrine continued to change during the course of the Vietnam War to reflect the changing United States policy. For example, the 1967, 1969 and 1973 versions of *Field Manual 30-15, Intelligence Interrogations*, ruled out the use of force in increasingly stronger terms. The 1967 and 1969 versions state that the use of force is unnecessary to gain the source's cooperation and may cause sources to fabricate information. Additionally, while the 1967 and 1969 versions contained the full text of Article 3 of the Geneva Conventions of 1949, the 1973 version expands to include the full text of Articles 2, 3, 4, 17 and 31.⁴⁶ Article 31 is the prohibition of coercion. This is a recognizable trend from the Korean War. After World War II, the doctrine withered and condensed. It then expanded to incorporate the experiences of the next war.

This trend can also be seen with the military police field manuals. As stated earlier, the military police field manuals lost a great deal of fidelity between the Korean and Vietnam Wars. Recall that the 1964 version of *Field Manual 19-40* not only lost some detail but it also shifted focus to prisoner control. The 1976 version of *Field Manual 19-40* provides more detail regarding all aspects of prisoner of war operations. More importantly, it refocuses on implementation of the Geneva Conventions and humane and fair treatment.

In summary, the United States relearned some old lessons from past conflicts and learned some new lessons during Vietnam. Three lessons are predominant. First, poor planning for prisoner of war operations created many problems as the war progressed. Second, media attention to prisoner issues led to negative publicity and had the potential of negative impacts on national and international support for the war. And third, lack of foresight, muddled and bad policy resulted in decisions that were very difficult to change. These early policy decisions also undermined the United States' position with regard to United States personnel held by the enemy and within the international community. During the Korean War, the enemy attack and quick escalation precluded proper planning and the United States found itself attempting to catch up with the proper facilities and guard manpower throughout the rest of the war. With respect to the Vietnam War, a January 1977 Department of the Army study on detainee operations clearly states, "Insufficient planning for the Detainee Program was an overriding cause of problems during the Vietnam conflict."⁴⁷ (Underlining found in original text.) Initially, the United States seemed in denial that hostilities would escalate and were content with allowing the Vietnamese government to deal with detainees.

Another lesson that the United States relearned was the disproportionate amount of media focus on United States detainees. During the Korea War, 173,219 Communist prisoners were interned and 3,432 died while in captivity for a 2 percent mortality rate. Of the 7,190 known American personnel captured, 2,730 died for a 38 percent.⁴⁸ Despite these striking facts, the national and international media focused on American treatment of prisoners. As stated earlier, this biased media spotlight continued into the Vietnam War. A December 1968 Department of the Army study provides an intriguingly relevant conclusion:

"Strangely enough, and despite a wealth of uncontested and favorable documentation, the US Armed Forces PW program continues to draw more world criticism of its conduct in RVN than does the enemy's PW program. This same condition pertained during the Korean War, and it is logical to assume that it would pertain in any future conflicts with Asiatic Communist opponents."⁴⁹

The new lesson learned was with respect to United States policy regarding detained personnel. During the Korean War, both United Nations and South Korean officials declared that the Geneva Conventions of 1949 would apply. Vietnam era policymakers seemed more concerned with the legal status of the insurgents and the possibility of legitimizing the North Vietnamese government. The 1977 Department of the Army study makes two key recommendations with regard to policy:

- 1) "All detained personnel should be accorded treatment equivalent to that of PWs or protected civilians under the Geneva Conventions whether or not qualified for such treatment..." and 2) "Transfer of CUSTODY should NOT be a

policy of first resort.”⁵⁰ (Capitalization and underlining contained in original document.)

This Army study and the historical evidence point to providing detainees the greatest protections under the Geneva Conventions.

Grenada

Similar to the Korean War, the situation in Grenada escalated very quickly and did not lend itself to extensive planning for detention operations. The Joint Staff issued a warning order for Operation Urgent Fury late on 19 October 1983.⁵¹ This warning order started the crisis action planning and was initially focused on evacuating American citizens from the country. Joint Staff planners estimated there were approximately 1,000 to 1,200 People’s Revolutionary Army forces, 2,000 to 5,000 militia and 600 Cubans, 250 of which were armed, on the island.⁵² Furthermore, intelligence suggested that these forces would take actions to stop any American evacuation. The planning quickly changed from a simple evacuation to more of a military operation.

As one might expect, this planning centered primarily on the operations and detention planning was clearly secondary. On 25 October 1983, the American forces captured the first enemy prisoners. A temporary enclosure held 250 prisoners by the end of the day.⁵³ During the first two days, there was much confusion regarding responsibility for prisoners. On 27 October, the Joint Chiefs started to become concerned over the number of detainees and directed Admiral Wesley McDonald to evacuate all Cuban and Soviet noncombatant detainees.⁵⁴ On 30 October, General John Vessey, Chairman of the Joint Chiefs, visited the Point Salines airfield and witnessed a group of Cuban prisoners being held in a barbed wire enclosure in the hot sun on a macadam parking lot. General John Vessey ordered the prisoners moved to the shade and to ensure they received humane treatment.⁵⁵

The lack of planning for detention operations created confusion and forced combat units, untrained in detention operations, to adapt and overcome the situation. The combat forces created a provisional infantry company from an artillery unit and attached military police units and brought them ashore to guard prisoners. Likewise, the 82nd Airborne Division did not arrive with logistical capabilities to feed, clothe and shelter over 1,500 detainees. The Joint Chiefs expressed concern over the prisoner burden on combat forces and prisoner treatment. The Joint Chiefs were also concerned about public opinion regarding detainee treatment and worked closely with the International Committee of the Red Cross. American forces invited the International Committee of the Red Cross to observe detention conditions, all sick and wounded

received medical care, and Cuban and Grenadian prisoners were permitted to contact their next of kin within seven days of capture.⁵⁶ Fortunately, Operation Urgent Fury lasted for less than a month.

Panama

Operation Just Cause was an excellent example of enemy prisoner of war operations. Planning prior to the operation included selection of military police and intelligence units. These units were then brought into the planning, and with the Joint Task Force commanders' approval, selected a central detention facility and ensured logistic supplies were in place prior to commencement of hostilities. Planning also included a key policy decision in that all detainees would be afforded prisoner of war status under the Geneva Conventions until further determination occurred. This policy decision allowed combat forces to concentrate on the fight while affording all the detainees with the best possible treatment.⁵⁷

The 65th Military Police Company operated the central detention facility from 20 December 1989 to 15 February 1990.⁵⁸ During this time, the facility processed 4,100 detainees.⁵⁹ The International Committee of the Red Cross inspected the facility on three occasions⁶⁰ and was pleased with the operations and noted that the camp complied with the spirit and letter of the Geneva Conventions.⁶¹ In the end, more than 4,000 of the detainees were returned to the custody of the Panamanian government and the remaining detainees were transferred to the United States for civil prosecution.⁶² Although there were surely daily challenges, the excellent planning of all aspects of detention operations paid huge dividends during Operation Just Cause.

Desert Storm

Operation Desert Storm was another highly successful enemy prisoner of war detention operation. The prisoner of war planning for the operation started early, with the 800th Military Police Brigade selected to perform the mission. The brigade was called to active duty on 6 December 1990, and their leadership participated in planning exercises throughout the month.⁶³ The brigade staff published their operational plan on 14 January 1991.⁶⁴ This plan assumed 100,000 enemy prisoners would be held and called for the construction of five prison camps to intern them. The plan also included the Coalition objective that Iraqis would have much better conditions as prisoners than as soldiers in the Iraqi army, a theme conveyed to the Iraqi soldiers as psychological warfare prior to the ground war.⁶⁵

The plan was soon forced into reality as on 18 January 1991, the first Iraqi soldier was captured⁶⁶ and on 21 January, the prison camp received the first 22 prisoners.⁶⁷ The effort to

construct, staff, and organize the detention system was a logistical feat that could not have been achieved without the assistance of the Saudi Arabian government. The Saudi Arabian intent was to establish model prison camps where, as hosts, they desired that Iraqis would be treated as guests in the Arab custom. The Saudi government provided substantial logistical support to include an average daily requirement of 150,000 meals and 1,500,000 gallons of water. The Saudi government also contracted and paid for 50,000 sets of clothing, blankets, bedding, shoes, and prayer rugs.⁶⁸ Indeed, an 800th Military Police Brigade after action report cites that the Army failed to fully appreciate the logistical challenges of prisoner operations and could not have fulfilled its obligations without Saudi Arabian assistance.⁶⁹ Both partners had similar objectives and worked very hard to ensure those objectives were met.

In the end, International Committee of the Red Cross officials reported that the treatment of these prisoners by American forces had complied more fully with the Geneva Conventions than the treatment afforded by any nation in any other conflict in history.⁷⁰ On 2 May 1991, the last prisoner in United States custody was transferred to Saudi Arabian control.⁷¹ From 18 January to 2 May 1991, the United States Army processed 69,822 prisoners of war.⁷² The planning objective of 100,000 prisoners was fairly accurate as total prisoners were in excess of 85,000.⁷³ A large number of Iraqi prisoners, 13,318, refused repatriation to their homeland.⁷⁴ This reinforced the principle of “no forced repatriation” first established by President Harry Truman during the Korea War. On 5 August 1991, the United States State Department reclassified these individuals from prisoners to refugees.⁷⁵ The Saudi government continued to care for them until the recent liberation of Iraq.

Conclusion

This survey of detention operation doctrine and experience shows three foundational aspects to successful detention operations. Our national policy decision regarding the application of the Geneva Conventions has been pivotal during our experience. During World War II, German prisoners writing to their families about the fair treatment they received undermined the will of the remaining soldiers. Our nation faltered momentarily at the early stages of the Vietnam War by acting indifferently rather than establishing a firm policy. Although our policy changed, our nation took great effort to recover from that decision. Policy regarding detainees was less complicated for Grenada, Panama and the first Gulf War. Our military learned that affording all detainees, at least initially, prisoner of war status under the Geneva Conventions was the preferred policy. In Desert Storm, our nation took great effort to plan and execute detention operations that met the provisions of the Geneva Conventions of 1949. Just

as in World War II, our military used this fair treatment as a psychological weapon against the enemy. Facilities and treatment were so good that the International Committee of the Red Cross lauded them as the best ever.

Planning and preparation for prisoner of war operations, as with most endeavors, is the underpinning to a successful operation. In Korea and Grenada, the urgency of the situation precluded extensive planning for detention operations. Our reluctance to establish a clear policy and direction in Vietnam caused a similar problem. The result in all three cases was very similar. Our military spent an extraordinary effort trying to recover from the lack of planning and preparation. In Panama and the first Gulf War, selecting the units and allowing them to participate in the planning process paid huge dividends. Both Joint Task Force commanders of these operations made detention operations a key part of their crisis planning, and it showed.

National and international media attention will always focus on the United States' treatment of prisoners regardless of the credibility of allegations of maltreatment or enemy atrocities against American service personnel. This point may not be equitable but it is a fact of our international position and the transparency of a democratic society. The media focused on allegations of mistreatment of our prisoners during Vietnam and Korea while captured American service personnel suffered atrociously. The focus is on the United States because our nation goes to war based on a just cause. How can we wear the white hat if we torture prisoners? This is not to say that all the allegations of maltreatment are true but emphasizes the strategic importance of detention operations. Our enemies will continue to use torture allegations against us and if possible will use this tactic to undermine our effort to achieve our national objectives.

Endnotes

¹ George G. Lewis and John Mewha, *History of Prisoner of War Utilization by the United States Army 1776-1945* (Washington, DC: Center of Military History, 1988), 90.

² Ibid., 91.

³ James F. Gebhardt, *The Road to Abu Ghraib: US Army Detainee Doctrine and Experience* (Fort Leavenworth, Kansas: Combat Studies Institute Press, 2005), 5.

⁴ Lewis, 112. While most Americans realize that the United States interned prisoners in the continental United States during World War II, many do not realize the magnitude of the operation. This operation included over 300 internment facilities throughout the country.

⁵ Ibid., 260.

⁶ U.S. Department of the Army, *Labor Services & Industrial Police in the European Command* (Karlsruhe, Germany: U.S. European Command Historical Division, 1952), 18.

⁷ E. Mowery, C. Hutchins, and B. Rowland, *The historical management of POW's : a synopsis of the 1968 U.S. Army Provost Marshal General's study entitled "A review of United States policy on treatment of prisoners of war"* (San Diego, CA: Naval Health Research Center, 1975), 39.

⁸ U.S. Department of the Army, *Field Manual 29-5, Basic Field Manual: Military Police* (Washington, D.C.: U.S. Department of the Army, 8 December 1941), 131.

⁹ U.S. Department of the Army, *Field Manual 19-5, Military Police* (Washington, D.C.: U.S. Department of the Army, 14 June 1944), 161-162.

¹⁰ *Ibid.*, 161.

¹¹ *Ibid.*

¹² *Ibid.*, 168 and 172.

¹³ *Ibid.*, 178.

¹⁴ *Ibid.*, 177 and 178. The manual also describes how to discipline, put on trial, and punish prisoners for offenses committed while interned. These procedures are in accordance with the Geneva Conventions which also specifies limits to punishment. In fact, 162 prisoners remained incarcerated in United States penal institutions after 30 June 1946 due to criminal acts committed during their internment in the continental United States.

¹⁵ Mowery, 41.

¹⁶ Mowery, 42 and 43.

¹⁷ Caroline Moorehead, *Dunant's Dream: War, Switzerland, and the History of the Red Cross* (New York: Carroll & Graf Publishers, 1998), 398 and 399.

¹⁸ G. I. A. D. Draper, *The Red Cross Conventions* (New York: Praeger, 1958), 5.

¹⁹ Moorehead, 552-555.

²⁰ Gebhart, 12. Precisely, the four conventions are entitled Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in the Armed Forces in the Field, Geneva Convention for the Amelioration of the Condition of the Wounded, Sick or Shipwrecked Members of the Armed Forces at Sea, Geneva Convention Relative to the Treatment of Prisoners of War and Geneva Convention Relative to the Protection Civilian Persons in Time of War.

²¹ Moorehead, 557.

²² Roy E. Appleman, *South to the Naktong, North to the Yalu* (June—November 1950) (Washington, DC: Center of Military History, US Army, 1986), 262.

²³ U.S. Department of the Army, *The Handling of Prisoners of War During the Korean War* (San Francisco, CA.: Headquarters, U.S. Army Pacific, June 1960), 1.

²⁴ Ibid.

²⁵ Ibid., 11.

²⁶ Mowery, 47.

²⁷ *The Handling of Prisoners of War During the Korean War*, 5-7.

²⁸ Gebhart, 16.

²⁹ Walter G. Hermes, *Truce Tent and Fighting Front* (Washington, DC: Center of Military History, US Army, 1966), 243-262.

³⁰ Ibid., 259.

³¹ Gebhart, 27.

³² *The Handling of Prisoners of War During the Korean War*, 52-55.

³³ U.S. Department of the Army, *Field Manual 19-40, Handling Prisoners of War* (Washington, D.C.: U.S. Department of the Army, 8 November 1952), 3-16.

³⁴ Hermes, 139-151.

³⁵ Frederic L. Borch, *Judge Advocates in Combat: Army Lawyers in Military Operations from Vietnam to Haiti* (Washington, DC: Office of the Judge Advocate General and Center of Military History, 2001), 19.

³⁶ Gebhart, 41.

³⁷ Borch, 19.

³⁸ Mowery, 49.

³⁹ Gebhart, 42.

⁴⁰ Mowery, 50.

⁴¹ Gebhart, 42.

⁴² Mowery, 50-51.

⁴³ George S. Prugh, *Law at War: Vietnam 1964-1973* (Washington, DC.: Department of the Army, 1975), 67.

⁴⁴ Ibid.

⁴⁵ U.S. Department of the Army, *Field Manual 19-40, Enemy Prisoners of War and Civilian Internees* (Washington, D.C.: U.S. Department of the Army, 21 August 1964), 6.

⁴⁶ Gebhart, 51.

⁴⁷ U.S. Department of the Army, *US Preparedness for Future Enemy Prisoner of War/Detainee Operations* (Washington, D.C.: U.S. Department of the Army, January 1977), xvii.

⁴⁸ Mowery, 47.

⁴⁹ U.S. Department of the Army, *A Review of the United States Policy on Treatment of Prisoners of War* (Washington, D.C.: Department of the Army, Office of The Provost Marshal General, December 1968), vol. 2, VI-44.

⁵⁰ U.S. Department of the Army, *US Preparedness for Future Enemy Prisoner of War/Detainee Operations*, xviii.

⁵¹ Ronald H. Cole, *Operation Urgent Fury: The Planning and Execution of Joint Operations in Grenada, 12 October-2 November 1983* (Washington, DC: Office of the Chairman of the Joint Chiefs of Staff, 1997), 14.

⁵² Ibid., 13 and 21.

⁵³ Mark Adkins, *Urgent Fury: The Battle for Grenada* (Lexington, MA: Lexington Books, 1989), 220.

⁵⁴ Cole, 54.

⁵⁵ Ibid., 61.

⁵⁶ Borch, 66.

⁵⁷ Borch, 104.

⁵⁸ Lieutenant Colonel Kevin Govern, "Sorting the Wolves From the Sheep," Military Police Bulletin PB 19-04-2 (October 2004), 2.

⁵⁹ Borch, 105.

⁶⁰ Gebhart, 78.

⁶¹ Borch, 105.

⁶² Ibid.

⁶³ John R. Brinkerhoff, Ted Silva, and John Seitz, *United States Army Reserve in Operation Desert Storm, Enemy Prisoner of War Operations: The 800th Military Police Brigade* (Washington, DC: Department of the Army, Office of The Chief of Army Reserve, 1992), 15-16.

⁶⁴ Ibid., 16.

⁶⁵ U.S. Department of Defense, *Final Report to Congress: Conduct of the Persian Gulf War* (Washington, DC: April 1992), 604-605.

⁶⁶ Borch, 180.

⁶⁷ Brinkerhoff, 21.

⁶⁸ Gebhart, 87-88.

⁶⁹ Brinkerhoff, 61.

⁷⁰ Borch, 180 and Final Report to Congress: Conduct of the Persian Gulf War, 708.

⁷¹ Borch, 180.

⁷² Ibid.

⁷³ Final Report to Congress: Conduct of the Persian Gulf War, 605.

⁷⁴ Final Report to Congress: Conduct of the Persian Gulf War, 708.

⁷⁵ Ibid.